

**RETURN DATE: January 6, 2015** : **SUPERIOR COURT**  
**JAMES GRECHKA** : **J. D. OF WATERBURY**  
**V.** : **AT WATERBURY**  
**WHOLE FOODS MARKET**  
**GROUP, INC., ET AL** : **DECEMBER 3, 2014**

**COMPLAINT**

**FIRST COUNT:**  
**(JAMES GRECHKA V. WHOLE FOODS MARKET GROUP, INC.)**

1. At all times mentioned herein, the defendant, **WHOLE FOODS MARKET GROUP, INC.**, was and is a foreign corporation authorized to transact business in the State of Connecticut with a principal place of business located at 550 Bowie Street, Austin, Texas.

2. At all times mentioned herein, the defendant, **WHOLE FOODS MARKET GROUP, INC.**, its servants and/or employees, owned, possessed, managed, controlled and/or maintained the Whole Foods Market Distribution Center premises located at 400 East Johnson Avenue, Cheshire, Connecticut, including the exterior brick/paver stone walkway.

3. On October 4, 2013 and at all times mentioned herein, the plaintiff, **JAMES GRECHKA**, was lawfully walking on the subject premises, on the exterior brick/paver stone walkway when he was caused to fall due to a broken and/or uneven

surface on the exterior front walkway area, thereby causing the plaintiff to suffer the injuries and losses more fully set forth below.

4. The incident was caused by the negligence of the defendant, **WHOLE FOODS MARKET GROUP, INC.**, its agents, servants and/or employees, in one or more of the following ways:

- a. It failed to properly maintain the exterior brick/paver stone walkway area;
- b. It failed to properly and reasonably inspect the exterior brick/paver stone walkway area on the premises;
- c. It knew or in the exercise of reasonable care and inspection should have known of the aforementioned conditions and should have taken measures to remedy and correct the same but this they carelessly and negligently failed to do;
- d. It failed to warn the plaintiff of the dangerous condition of the exterior brick/paver stone walkway area on the premises;
- e. It failed to erect barriers for those lawfully on the premises not to use the subject exterior brick/paver stone walkway area and/or prevent those lawfully on the premises from falling due to the dangerous and/or hazardous condition; and/or

- f. It failed to repair the exterior brick/paver stone walkway area in a timely manner.

5. As a result of the negligence of the defendant, **WHOLE FOODS MARKET GROUP, INC.**, its agents, servants and/or employees, the plaintiff, **JAMES GRECHIKA**, suffered the following injuries, some or all of which may be permanent in nature:

- a. Left wrist pain;
- b. Left arm pain;
- c. Right forearm laceration;
- d. Right arm pain;
- e. Right hand laceration;
- f. Right hand pain;
- g. Left wrist fracture requiring surgical intervention with associated pain and discomfort; and
- h. Pain and suffering, both mental and physical.

6. As a further result of the negligence of the defendant, **WHOLE FOODS MARKET GROUP, INC.**, its agents, servants and/or employees, the plaintiff, **JAMES GRECHIKA**, was forced to expend large sums of money for hospital and medical care,

surgery, medicines, diagnostic tests and therapy, all necessary to his recovery, and may be forced to expend additional sums in the future.

7. As a further result of the negligence of the defendant, **WHOLE FOODS MARKET GROUP, INC.**, its agents, servants and /or employees, the plaintiff, **JAMES GRECHKA**, was unable to work, to his financial detriment.

8. As a further result of the negligence of the defendant, **WHOLE FOODS MARKET GROUP, INC.**, its agents, servants and /or employees, the plaintiff, **JAMES GRECHKA**, has sustained a loss of earning capacity.

9. As a further result of the negligence of the defendant, **WHOLE FOODS MARKET GROUP, INC.**, its agents, servants and/or employees, the plaintiff, **JAMES GRECHKA**, was unable, and remains unable, to participate in and enjoy his usual activities.

**SECOND COUNT: (JAMES GRECHKA V. JIM DOYLE)**

1. At all times mentioned herein, the defendant, **WHOLE FOODS MARKET GROUP, INC.**, was and is a foreign corporation authorized to transact business in the State of Connecticut with a principal place of business located at 550 Bowie Street, Austin, Texas.

2. At all times mentioned herein, the defendant, **JIM DOYLE**, his servants and/or employees, owned, possessed, managed, controlled and/or maintained the Whole Foods Market Distribution Center premises located at 400 East Johnson Avenue, Cheshire, Connecticut, including the exterior brick/paver stone walkway.

3. On October 4, 2013 and at all times mentioned herein, the plaintiff, **JAMES GRECHIKA**, was lawfully walking on the subject premises, on the exterior front walkway when he was caused to fall due to a broken and/or uneven surface on the exterior brick/paver stone walkway area, thereby causing the plaintiff to suffer the injuries and losses more fully set forth below.

4. The incident was caused by the negligence of the defendant, **JIM DOYLE**, his agents, servants and/or employees, in one or more of the following ways:

- a. He failed to properly maintain the exterior brick/paver stone walkway area;
- b. He failed to properly and reasonably inspect the exterior brick/paver stone walkway area on the premises;
- c. He knew or in the exercise of reasonable care and inspection should have known of the aforementioned conditions and should have taken measures to remedy and correct the same but this they carelessly and negligently failed to do;

- d. He failed to warn the plaintiff of the dangerous condition of the exterior brick/paver stone walkway area on the premises;
  - e. He failed to erect barriers for those lawfully on the premises not to use the subject exterior brick/paver stone walkway area and/or prevent those lawfully on the premises from falling due to the dangerous and/or hazardous condition; and/or
  - f. He failed to repair the exterior front walkway area in a timely manner.
5. As a result of the negligence of the defendant, **JIM DOYLE**, his agents, servants and/or employees, the plaintiff, **JAMES GRECHIKA**, suffered the following injuries, some or all of which may be permanent in nature:
- a. Left wrist pain;
  - b. Left arm pain;
  - c. Right forearm laceration;
  - d. Right arm pain;
  - e. Right hand laceration;
  - f. Right hand pain;
  - g. Left wrist fracture requiring surgical intervention with associated pain and discomfort; and
  - h. Pain and suffering, both mental and physical.

6. As a further result of the negligence of the defendant, **JIM DOYLE**, his agents, servants and/or employees, the plaintiff, **JAMES GRECHKA**, was forced to expend large sums of money for hospital and medical care, surgery, medicines, diagnostic tests and therapy, all necessary to his recovery, and may be forced to expend additional sums in the future.

7. As a further result of the negligence of the defendant, **JIM DOYLE**, his agents, servants and /or employees, the plaintiff, **JAMES GRECHKA**, was unable to work, to his financial detriment.

8. As a further result of the negligence of the defendant, **JIM DOYLE**, his agents, servants and /or employees, the plaintiff, **JAMES GRECHKA**, has sustained a loss of earning capacity.

9. As a further result of the negligence of the defendant, **JIM DOYLE**, his agents, servants and/or employees, the plaintiff, **JAMES GRECHKA**, was unable, and remains unable, to participate in and enjoy his usual activities.

**THIRD COUNT:**  
**(JAMES GRECHKA V. WHOLE FOODS MARKET GROUP, INC.)**

1-9. Paragraphs 1 through 9 of the Second Count are hereby incorporated and made corresponding paragraphs of this Third Count as if fully set forth herein.

10. The defendant, **WHOLE FOODS MARKET GROUP, INC.**, is vicariously liable for the negligent acts of its agent, servant and/or employee, committed in the course of his employment.



WHEREFORE, the plaintiff claims money damages.

THE PLAINTIFF,  
JAMES GRECHIKA

By 

Garrett M. Moore, Sr.  
Moore, O'Brien, Yelenak & Foti  
700 West Johnson Avenue, Suite 207  
Cheshire, CT 06410  
Phone: (203) 272-5881  
Juris No.: 408519  
His Attorneys

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**STATEMENT OF AMOUNT IN DEMAND**

The amount of money damages claimed is greater than Fifteen Thousand Dollars  
(\$15,000.00), exclusive of interest and costs.

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